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REMARKS

In response to the Office Action mailed on November 10, 2005, Applicants respectfully request reconsideration. Claims 1, 3-16, 18, 31 and 33-40 are now pending in this Application. Claims 38-40 have been indicated as being in condition for allowance. Claims 1, 16, 31, 37 and 38 are independent claims and the remaining claims are dependent claims. In this Amendment, claims 1, 16, 31, 37 and 39 have been amended. Applicants believe that the claims as presented are in condition for allowance. A notice to this affect is respectfully requested.

Claim 1 has been herein amended with subject matter added from allowed claim 38, the amended subject matter reciting features similar to those in claim 38. Specifically, claim 1 has been amended to recite a new resource value setting similar to the second resource setting in claim 38. Also, the current resource setting in amended claim 1 receives similar treatment as the first resource setting of claim 38. Addition and clarification of these features are believed to render amended claim 1 allowable as reciting features similar to allowed claim 38.

Specifically, therefore, claim 1 has been amended with the subject matter of allowed claim 38 to recite “detecting a negotiation event related to the resource when performing communications on the communications channel using the resource,” and further that the “new value for the resource setting related to an actual resource usage value of the resource of the communications channel, such that if a value of the actual resource usage setting is lower than a former value of the actual resource usage setting, the new resource setting is calculated to be lower than the current resource setting and if a value of the actual resource usage setting is higher than a former value of the actual resource usage setting, the new resource setting is calculated to be at least one of: (i) higher than a new value of the actual resource usage setting, and (ii) substantially equal to the new value of the actual resource usage setting.” Further, claim 1 has also been amended to recite the feature “establishing the

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new resource setting for usage of the resource of the communications channel.” These features, previously claimed in claim 38 but not recited in claim 1, are believed to further distinguish claim 1 over the prior art of record similar to claim 38.

Claims 16, 31 and 37 have been similarly amended as claim 1 and are therefore believed allowable for the reasons stated above.

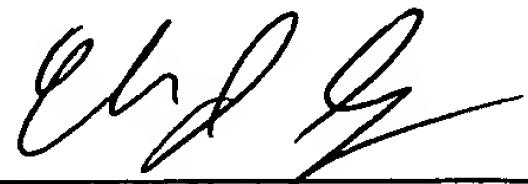
Claim 39 has been amended to correct a minor grammatical inconsistency.

As the remaining claims depend either directly or indirectly from claim 1, 16 and 31, it is further submitted that all claims in the case are now in condition for allowance.

Applicant hereby petitions for any extension of time which is required to maintain the pendency of this case. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 50-3735.

If the enclosed papers or fees are considered incomplete, the Patent Office is respectfully requested to contact the undersigned collect at (508) 616-9660, in Westborough, Massachusetts.

Respectfully submitted,



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